

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,

Plaintiff,

vs.

Gunnar James Ebert,

Defendant.

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Case No. 1:24-mj-628

**ORDER OF
DETENTION PENDING TRIAL**

Gunnar James Ebert is charged with the crime of possession of firearms by a person who is an unlawful user of controlled substances. The United States moved for his detention pending trial, and the court held a hearing on that motion on October 16, 2024. The United States asserts no condition or combination of conditions would reasonably assure safety of other persons or of the community if Ebert were released.

In support of its motion, the United States presented testimony of Federal Bureau of Investigation Task Force Officer Steven Takacs and a copy of an affidavit TFO Takacs had submitted when applying for a warrant to search Ebert's person, home, and vehicles. During an October 8, 2024 execution of that search warrant, agents seized ten firearms. In response to the agents' questioning on that date, Ebert reported he used marijuana regularly.

In his affidavit, TFO Takacs described a series of posts Ebert made on a Telegram channel, "NacionalistWorld." (Doc. 17-1, p. 3). Ebert's posts refer to many mass shooting incidents and refer to the individuals who committed those crimes as "saints." Some of his posts describe potential "benefits" of coordinated mass attacks toward minority groups and reflect white supremacist ideology. When interviewed by FBI agents in July 2024, Ebert stated he had considered committing a mass shooting event in the past but

no longer had that intention. He told the FBI agents he “would definitely not be on Telegram so much anymore, and interviewing agents would not have to worry about any future mass casualty event with his name attached to it.” (Doc. 17-1, p. 19). But he continued to write similar posts on Telegram after July 2024.

TFO Takacs’ affidavit also describes Ebert having been hospitalized in 2021 and having described “constant” homicidal ideations during the hospitalization. Id. at 22.

The Pretrial Services Report shows Ebert has family, residential, and employment ties in Dickinson, North Dakota. He has no criminal history. Ebert acknowledged some history of treatment for mental health concerns and acknowledged his use of marijuana. The Pretrial Services Officer recommended release to his Dickinson residence. That recommendation, of course, did not consider all of the factors 18 U.S.C. § 3142(g) requires that this court consider.

Under § 3142(g), the court considers the nature and circumstances of the charged offense, the weight of the evidence, Ebert’s history and characteristics, and the nature and seriousness of the danger that Ebert’s release would pose. Considering all of those factors, the court finds clear and convincing evidence no currently available condition or combination of conditions will reasonably assure safety of the community or other persons if Ebert were released.

During the October 16, 2024 hearing, Ebert proposed that he undergo a violence risk assessment and reported having identified an evaluator who could be available to complete that assessment and a report of that assessment within the coming months. If Ebert arranges for and presents a report of an appropriate violence risk assessment, the court would consider whether satisfactory release conditions are then available.

Ebert is committed to the custody of the Attorney General or designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. Ebert shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver Ebert to the United States Marshal for the purpose of an appearance in connection with court proceedings.

IT IS SO ORDERED.

Dated this 17th day of October, 2024.

/s/ Alice R. Senechal

Alice R. Senechal

United States Magistrate Judge